

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

**DAVID STEBBINS,**

**Plaintiff,**

v.

**CASE NO. 2:24-cv-00140**

**JOSHUA MOON and LOLCOW, LLC**

**Defendants.**

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR CM/ECF ACCESS**

NOW COME the Defendants, by and through their undersigned counsel, and file this Opposition to the Plaintiffs' Motion for CM/ECF Access. ECF No. 3. In Opposition, the Defendants state as follows:

1. The Plaintiff cites in his motion for access to the electronic filing system in this District his voluminous history of litigation in California, where the local U.S. District Court allowed him access to the electronic filing system. ECF No. 3, ¶ 1.

2. The Plaintiff abused his access to the electronic filing system in the Northern District of California to such an extent that his access was revoked yesterday. Attached hereto as Exhibit A is that Court's order, denying leave to file various documents, and noting in pertinent part that "We find that Plaintiff's arguments... are further evidence that he should not have access to the Court's filing system as a vexatious litigant." Exhibit A, p. 4.

WHEREFORE, Defendants respectfully submit that good cause does not exist for granting the Plaintiff access to electronic filing in this Court, given the Plaintiff's behavior using electronic filing in other courts.

Respectfully submitted this the 27<sup>th</sup> day of March, 2024,

/s/ Mark Heath

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the “**Defendants’ Opposition to Plaintiff’s Motion for CM/ECF Access**” was filed via CM/ECF this 27<sup>th</sup> day of March, 2024, and that I also deposited a true and correct copy of the same into the U.S. Mail, with First Class Postage prepaid, addressed to:

David Stebbins  
123 West Ridge Ave, Apt. D  
Harrison, Arkansas 72601

/s/ Mark Heath  
Mark Heath, W. Va. Bar No. 5815